

REMARKS

Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow.

With this Amendment, Claim 1 has been amended; no Claims have been canceled; and, Claims 30-45 are new. A detailed listing of all Claims that are, or were, in the Application, irrespective of whether the Claims remain under examination in the Application, is presented, with appropriately defined status identifiers. Thus, Claims 1-11, 13-15 and 18-45 remain pending in the Application.

Claim 1 is amended to be in the form as in the Amendment of September 8, 2009, with the addition of the limitation "wherein the agent is in a liquid form and is storage-stable," which is supported by the statement "[t]his agent is also to be provided in liquid form and be storage-stable" and "[w]ith the aid of this formulation it is possible to provide a storage-stable agent in liquid form, which is solely to be combined in the particular application with an agent for ensuring an alkaline milieu such as alkali hydroxides or alkali carbonates" in paragraphs [0007] and [0009] of U.S. Publication 20070102665 (the '665 publication), which the publication of the pending application.. Support for new Claim 30 is found in the disclosure in at least allowable Claim 8. Support for new Claims 31-38 is found in the Abstract of the '665 publication and original Claim 9. Support for new Claims 39-42 is found in paragraph [0009] of the '665 publication. Support for new Claims 43-45 is found in original Claim 9. No new matter is added.

Interviews

On March 3, 2010, the undersigned interviewed the Examiner along with one of the co-inventors, Mr. Christian Thonhauser. During the interview, Mr. Thonhauser suggested providing unexpected result over a composition according to the combination of the AT and RU references to overcome the obviousness rejections under AT/RU. The Examiner stated he would not be able to speculate on the unexpected results since

it had not yet been submitted, but the unexpected results would be considered once filed.

Claims objections and allowable subject matter

Applicants thank the Examiner for indicating that Claims 8 and 13 are objected to as allegedly being dependent upon a rejected base Claim, but that they would be allowable if rewritten in independent form, including all of the limitations of the base Claim and any intervening Claims.

Claims rejections under 35 U.S.C. § 103

The outstanding Official Action has rejected Claims 1-7, 19, and 20 under 35 U.S.C. § 103 as allegedly being unpatentable over Thonhauser (AT408987, hereinafter AT) and further in view of Serpokrylov (RU 2191163, hereinafter RU).

The outstanding Official Action has rejected Claims 9-11, 13-15, 18, and 22-29 under 35 U.S.C. § 103 as allegedly being unpatentable over AT/RU as applied to Claim 1, and further in view of the alleged “admitted” prior art.

The outstanding Official Action has rejected Claims 21 under 35 U.S.C. § 103 as allegedly being unpatentable over AT/RU as applied to Claims 1 and 9, and further in view of Wegner (U.S. Patent Publication No. 2003/0151024).

These rejections are respectfully traversed.

Applicants herewith submit a Rule 132 Declaration and request that the pending obviousness rejections be withdrawn in light of the unexpected results demonstrated in the Rule 132 Declaration. As the Rule 132 Declaration is self explanatory, no further clarification on the unexpected results is provided herein. In particular, as demonstrated in the Rule 132 Declaration, the composition by the combination of AT and RU would **NOT** be storage-stable, while the composition of the present invention is storage-stable as recited in Claim 1 and shown in the Rule 132 Declaration.

Claims rejections under 35 U.S.C. § 112

The outstanding Official Action has rejected Claims 1-11, 13-15 and 18-29 under 35 U.S.C. 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly Claim the subject matter which Applicants regard as the invention.

This rejection is respectfully traversed and should be withdrawn in light of this Amendment.

CONCLUSION

In view of the above amendment, Applicants believes the pending application is in condition for allowance. The Director is authorized to charge any fees necessary and/or credit any overpayments to Deposit Account No. 03-3975, referencing Docket No. 085523-0381114.

Respectfully submitted,

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